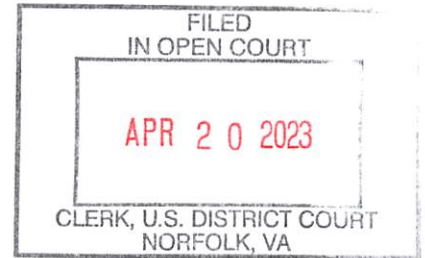


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division



UNITED STATES OF AMERICA	)	CRIMINAL NO. 2:23-CR-19
)	
v.	)	18 U.S.C. § 371
	)	Conspiracy
ROBERT EDGAR ENGLISH,	)	(Count 1)
a/k/a "H.B.,")	
a/k/a "Hot Boy,"	)	18 U.S.C. §§ 922(a)(6) & 924(a)(2)
a/k/a "Head Buster,"	)	False Statement During Purchase of Firearms
	)	(Counts 2 and 6)
)	
Defendant.	)	18 U.S.C. § 924(a)(1)(A)
	)	False Statement Causing Federally Licensed
	)	Firearms Dealer to Maintain False Records
	)	(Counts 3 and 7)
)	
	)	18 U.S.C. §§ 922(g)(1), 924(a)(2) (2006),
	)	& 924(a)(8)
	)	Felon in Possession of Firearms
	)	(Counts 4 and 8)
)	
	)	18 U.S.C. § 1512(b)(3)
	)	Obstruction of Justice
	)	(Count 5)
)	
	)	18 U.S.C. § 875(c)
	)	Interstate Threatening Communication
	)	(Counts 9–11)
)	
	)	18 U.S.C. §§ 924(d) & 981(a)(1)(C),
	)	28 U.S.C. § 2461
	)	Criminal Forfeiture

SUPERSEDING INDICTMENT

April 2023 Term – at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE
(Conspiracy)

In or about May 2019 and continuing until in or about August 2021, the exact dates to the

grand jury being unknown, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” knowingly and willfully conspired and agreed with other persons, both known and unknown to the grand jury, to commit an offense against the United States, that is, to acquire firearms through the use of a straw purchaser who knowingly provided false and misleading information, and made false and fictitious oral and written statements to a federally licensed firearms dealer, intended to deceive such dealer with respect to a fact material to the lawfulness of the sale of a firearm, and to knowingly make a false statement and representation with respect to information required to be kept in the records of the firearms dealer, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(1)(a).

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia:

a. On or about May 28, 2019, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” arranged the straw purchase of a Palmetto State Armory, Model PA-15, multi-caliber semi-automatic pistol and a Glock, Model 26 Gen 5, 9mm semi-automatic pistol from D&R Arms, a federally licensed firearms dealer.

b. On or about August 5, 2021, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” arranged the straw purchase of a Glock, Model 19 Gen 5, 9mm semi-automatic pistol from Cash Money, Inc., a federally licensed firearms dealer.

(In violation of Title 18, United States Code, Section 371.)

COUNT TWO

(False Statement During Purchase of Firearm)

On or about May 28, 2019, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” and a straw purchaser, aided and abetted by each other, in connection with the acquisition of two firearms—a Palmetto State Armory, Model PA-15, multi-caliber semi-automatic pistol and a Glock, Model 26 Gen 5, 9mm semi-automatic pistol—from D&R Arms, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious written statements that were intended and likely to deceive D&R Arms as to facts material to the lawfulness of the sale of those firearms under Chapter 44, Title 18, in that the straw purchaser did execute two Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives forms 4473, Firearms Transaction Records, to the effect that the straw purchaser was the actual buyer of the firearms indicated on the forms 4473, when in fact and as the defendant and the straw purchaser then knew, the straw purchaser was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.)

COUNT THREE

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about May 28, 2019, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” and a straw purchaser, aided and abetted by each other, knowingly made false statements and representations to D&R Arms, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of D&R Arms, in that the straw purchaser did execute two Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives

forms 4473, Firearms Transaction Records, to the effect that the straw purchaser was the actual buyer of the firearms indicated on the forms 4473, when in fact and as the defendant and the straw purchaser then knew, the straw purchaser was not the actual buyer of the firearms.

(In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.)

COUNT FOUR
(Felon in Possession of Firearms)

On or about May 28, 2019, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm and firearms, to wit, a Palmetto State Armory, Model PA-15, multi-caliber semi-automatic pistol and a Glock, Model 26 Gen 5, 9mm semi-automatic pistol, each of which had previously been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2) (2006).)

COUNT FIVE
(Obstruction of Justice)

On or about July 26, 2019, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” did knowingly attempt to use intimidation, threats, and corrupt persuasion, and did knowingly attempt to engage in misleading conduct toward another person with the intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a Federal offense, in that the defendant instructed the person who illegally purchased for and transferred to him a Palmetto State Armory, Model PA-15, multi-caliber semi-automatic pistol and a Glock, Model 26 Gen 5, 9mm semi-automatic pistol not

to make a statement about that conduct to any law enforcement officer.

(In violation of Title 18, United States Code, Section 1512(b)(3).)

COUNT SIX

(False Statement During Purchase of Firearm)

On or about August 5, 2021, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” and a straw purchaser, aided and abetted by each other, in connection with the acquisition of a firearm, that is, a Glock, Model 19 Gen 5, 9mm semi-automatic pistol, from Cash Money, Inc., a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement that was intended and likely to deceive Cash Money, Inc. as to a fact material to the lawfulness of the sale of that firearm under Chapter 44, Title 18, in that the straw purchaser did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that the straw purchaser was the actual buyer of the firearm indicated on the form 4473, when in fact and as the defendant and the straw purchaser then knew, the straw purchaser was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.)

COUNT SEVEN

(False Statement Causing Federally Licensed Firearms Dealer to Maintain False Records)

On or about August 5, 2021, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” and a straw purchaser, aided and abetted by each other, knowingly made a false statement and representation to Cash Money, Inc., a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions

of Chapter 44 of Title 18, United States Code, to be kept in the records of Cash Money, Inc., in that the straw purchaser did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that the straw purchaser was the actual buyer of the firearm indicated on the form 4473, when in fact and as the defendant and the straw purchaser then knew, the straw purchaser was not the actual buyer of the firearm.

(In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.)

COUNT EIGHT
(Felon in Possession of Firearm)

From on or about August 5, 2021, and continuing through on or about March 16, 2023, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, to wit, a Glock, Model 19 Gen 5, 9mm semi-automatic pistol, which had previously been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).)

COUNT NINE
(Interstate Threatening Communication)

On or about September 7, 2021, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” did knowingly transmit in interstate and foreign commerce a communication containing a threat to injure the person of another; to wit, the defendant sent a Facebook message to a person known to the Grand Jury and stated: “Be careful when crossing the street. Lots of people have been getting hit by cars[.] Make sure u look both ways everytime u come outside[.] See you soon[.]

I'll do life[.]”

(In violation of Title 18, United States Code, Section 875(c).)

COUNT TEN

(Interstate Threatening Communication)

On or about September 7, 2021, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” did knowingly transmit in interstate and foreign commerce a communication containing a threat to injure the person of another; to wit, the defendant sent a Facebook message to a person known to the Grand Jury and stated: “U can save every msg. Screen shot. Voicemail etc. that sh*t means nothing to me. And won’t bring U back 🤔😏 once u gone.”

(In violation of Title 18, United States Code, Section 875(c).)

COUNT ELEVEN

(Interstate Threatening Communication)

On or about September 8, 2021, in Portsmouth, Virginia, within the Eastern District of Virginia, the defendant, ROBERT EDGAR ENGLISH, a/k/a “H.B.,” a/k/a “Hot Boy,” a/k/a “Head Buster,” did knowingly transmit in interstate and foreign commerce a communication containing a threat to injure the person of another; to wit, the defendant sent a Facebook message to a person known to the Grand Jury and stated: “U will regret this day. The day I turn my back on my flesh and blood to save myself[.] Every corner u turn. U better be looking for the reaper.”

(In violation of Title 18, United States Code, Section 875(c).)

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

1. The defendant, if convicted of any of the violations alleged in this Superseding Indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, any firearm or ammunition involved in or used in the violation.
2. The defendant, if convicted of any of the violations alleged in Counts Nine, Ten, and Eleven of this Superseding Indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.
3. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).
4. The property subject to forfeiture includes, but is not limited to, the following:
 - a. One Palmetto State Armory, Model PA-15, multi-caliber semi-automatic pistol and any related magazines, ammunition, and accessories;
 - b. One Glock, Model 19 Gen 5, 9mm semi-automatic pistol and any related magazines, ammunition, and accessories; and
 - c. One Glock, Model 26 Gen 5, 9mm semi-automatic pistol and any related magazines, ammunition, and accessories.

(In accordance with Title 18, United States Code, Sections 924(d) and 981(a)(1)(C); and Title 28, United States Code, Section 2461)

United States v. Robert Edgar English, 2:23CR19

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

A TRUE BILL:

REDACTED COPY

FOREPERSON

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